

## Official Proceedings

December 3rd, 2013  
8:00 am

Chairman Zander called the meeting of the Stark County Board of Commissioners to order. All members present

Chairman Zander asked for any additions to the agenda. Comm. Hoff added Zoning. Auditor Kay Haag added Courthouse hours. Comm. Wolf moved to approve the agenda with the addition. Comm. Kuntz seconded. All voted Aye and the motion carried.

Comm. Wolf moved to approve the minutes from the November 5th, 2013. Comm. Hoff seconded. Comm. Kuntz moved to approve the minutes from the November 19<sup>th</sup> Special meeting. Roll call vote. All voted Aye and the motions carried.

Comm. Elkin moved to accept the accounts payable plus the supplement. Comm. Kuntz seconded. Roll call vote. All voted Aye and the motion carried.

**General:** Payroll: \$209,223.06; Jay Elkin: \$1,229.44; Russ Hoff: \$187.58; Patricia Garrity: \$327.50; JoAnn Heiser: \$352.50; Kay Mikkelsen: \$217.50; Luella Ridl: \$352.50; Sharon Runcorn: \$183.75; Rose Senn: \$345.00; Rogette Kostecky: \$336.00; Linda Gingery: \$29.60; Ronald G Harnden: \$113.25; State Board of Law Examiners: \$1,490.00; Matthew Bender: \$267.75; West Payment Center: \$2,080.32; Consolidated: \$731.37; Dakota Water Treatment: \$46.50; SBM Inc: \$3,925.81; Breanna Fahey: \$213.95; Walmart: \$333.57; Xerox Corporation: \$1,316.23; NW Iron Fireman: \$790.21; MDU: \$3,107.90; Roughrider Electric: \$156.00; SW Water Authority: \$44.05; Maintenance Management: \$400.00; Saul's Tree Service: \$3,000.00; Braun Distributing: \$457.24; Central Mechanical: \$181.00; Clean Sweep Vacuum: \$114.92; Dakota Farm Equipment: \$374.17; Ferguson Enterprises: \$161.60; Newby's Ace Hardware: \$381.24; Runnings Supply: \$146.52; Twin City Roofing: \$439.00; City of Dickinson: \$11,859.84; NDPers: \$30,765.22; County of Stutsman: \$57.00; Maus & Nordsven: \$1,350.00; Mark T Blumer Law Office: \$558.48; Wex Bank: \$606.30; Cenex Fleetcard: \$8,112.23; AT&T Mobility: \$1,511.41; Century Link: \$487.00; CMRS-PB: \$10,000.00; US Postal Service: \$318.00; Dacotah Paper Co: \$442.35; Office Max Inc: \$743.54; Richland County: \$79.48; Unlimited Office Products: \$1,135.87; ND Youth Correctional Center: \$1,672.65; Diane Brines: \$42.71; Dickinson Parks & Rec: \$56.16; T-Rex Conoco Inc: \$851.81; Comfort Inn: \$918.00; Expressway Inn: \$149.40; Belfield Sportsman Club: \$880.00; SW Crime Conference: \$100.00; ND Post Board: \$45.00; Great Plains Clinic: \$242.00; West Wind Consulting: \$175.00; Doris Songer: \$125.79; Professional Printing: \$640.00; Shred-It-USA SIO: \$1,078.92; Visa: \$34.00; Advanced Business Methods: \$2,476.21; Galls An Aramark: \$64.00; Uniform Center: \$80.98; Balco Uniforms Center: \$454.98; Curtis Rud Oil Center: \$61.00; Dickinson Tire: \$2,695.12; Electronic Communications: \$3,019.00; R & J Communications: \$638.00; Sax Motor Co: \$389.80; Farmers Union Bis/Man: \$994.17; Farmers Union Oil of Richardton: \$516.68; Kurt Schoening: \$24.46; DJ's Tesoro: \$40.01; Sure Sign: \$360.00; State Ave Vet: \$77.60; Dickinson Ambulance: \$481.34; Brownell's Inc: \$241.84; NDACO Resources:

\$4,162.24; LEC Maintenance: \$10,428.59; Stevenson Funeral Home: \$980.00; Stark County Auditor (Federal Deposit): \$564.49; Quality Inn: \$166.00; Verizon Wireless: \$40.01; Hewlett-Packard: \$79.00; Dickinson Area Chamber of Commerce: \$2,050.00; Dickinson Press: \$206.72;

**10 Mill:** Kadrmas, Lee & Jackson: \$2,443.25; ND Dept of Transportation: \$8,010.18;

**County Road:** Kadrmas, Lee & Jackson: \$114,816.45; Jurgens Trucking: \$2,558.75; Edward Schwartz Construction: \$36,030.50; Northern Improvement Inc: \$1,505.00; Ty Newton Fencing: \$1,046.75; Outback Lumber Supply: \$165.49; Dale Christman: \$69.74; Butler Machinery: \$12,545.46; AT&T Mobility: \$110.63; City of Belfield: \$22.50; City of Dickinson: \$83.61; City of Richardton: \$54.90; Consolidated: \$45.75; MDU: \$873.77; Roughrider Electric: \$1,430.00; SW Water Authority: \$62.26; Dakota Filter Supply: \$320.86; Dickinson Supply: \$1,026.44; Randy Dillinger: \$48.94; Mac's Inc: \$21.10; Praxair: \$27.78; Total Safety: \$202.61; West Plains Inc: \$305.80; Belfield Automotive Supply: \$175.91; Border States Electric: \$8.38; Braun Distributing: \$45.00; CR Auto Glass: \$42.00; Electric Sales & Service: \$25.90; Energy Systems Inc: \$205.65; JP Steel & Supply: \$135.54; Just In Glass: \$70.00; Matco Tools: \$381.94; Mid-West Doors: \$138.25; Newby's Ace Hardware: \$48.90; NW Tire Inc: \$7,114.35; ProBuild: \$46.69; Rudy's Lock & Key: \$15.00; Runnings Supply: \$715.20; Nelson International: \$1,188.86; Ray's Auto Electric: \$1,498.45; Wallwork Truck Center: \$1,026.99; Westlie Truck Center: \$171.56; J & J Operating: \$979.27; Performance Trucks: \$175.52; United Truck & Equipment: \$398.00; Certified Powers: \$281.32; Creative Energy: \$49.07; Dakota Farm Equipment: \$1,286.58; General Steel: \$402.77; RDO Equipment: \$4,513.17; Southwest Grain: \$36,732.22; George's Tire: \$425.00; Just In Glass: \$115.00; Kohler Communications: \$450.56; West Dakota Oil: \$999.79; Farmers Union Oil of Richardton: \$152.74; ETSysystems Inc: \$59.50; Lenny's Repair: \$68.06; Midwest Hose & Supply: \$14.33; Rummel Auto Wrecking: \$43.60; Val's Sanitation: \$420.00; Dickinson Ready Mix: \$1,656.00; Hoist & Crane: \$850.00; Praxair: \$211.60; Road Equipment Parts: \$1,330.89; Stone Mill Inc: \$40.90; Contech Engineering: \$5,677.20; Knife River: \$243.00; Laker Chemical: \$2,730.00; Northern Improvement: \$5,547.50; Lyle Signs Inc: \$642.86; Ty Newton Fencing: \$502.50; Coca Cola Bottling: \$144.00; Britton Jewelers: \$121.00; Dickinson Press: \$697.68; Maintenance Management: \$160.00; Oil Patch Hotline: \$69.00;

**Highway Tax Distribution:** Payroll: \$119,006.22; NDPers: \$28,259.53; NDLTAP: \$100.00; NDACE Conference: \$450.00;

**Social Welfare:** ND Dept of Human Services: \$347.30; Payroll: \$170,049.83; AT&T Mobility: \$46.67; NDPers: \$42,627.42; Wrap Around Checks: \$237.05; All American Travel: \$401.80; Sax Motor Co: \$475.00; Braun Distributing: \$344.83; City of Dickinson: \$188.18; Comfort Suites: \$69.00; Consolidated: \$4,065.66; Dell Marketing: \$477.60; DJ's Tesoro: \$67.79; Bertie Gustafson: \$600.00; Hewlett-Packard: \$2,060.00; JobsHQ: \$446.60; MDU: \$987.47; Newby's Ace Hardware: \$57.89; Professional Printing: \$964.00; SBM Inc: \$3,529.01; Stevenson Funeral Home: \$1,950.00; Sunrise

Youth Bureau: \$2,092.50; Deb Trytten: \$258.69; Visa: \$725.24; Walmart: \$541.41; NDACO Resources: \$2,657.92;

**County Poor:** ND Dept of Human Services: \$35,904.94;

**IT-Computer/Updates:** NDACO Resources: \$5,547.47; Consolidated: \$269.26; Dell Marketing: \$236.44; Information Technology Dept: \$1,807.90; Xerox Corporation: \$374.68;

**Capital Improvement:** SWMCCC: \$102,600.00; Don Jones: \$2,495.65; Zimmerman Contracting: \$4,196.25; Consolidated: \$11,643.54; Electric Sales & Service: \$6,620.28; Mid-West Doors: \$284.95; Temp Right Services: \$1,006.75;

**County Park:** Dickinson Press: \$31.92;

**Fair Board:** Stark County Fair Board: \$185.94;

**County Jail:** SWMCCC: \$210,976.12; St Joseph's Hospital: \$208.00;

**Insurance:** American Insurance Center: \$267.00;

**Comp Health Care:** NDPers: \$31,464.33; Blue Cross Blue Shield: \$414.80; Human Insurance: \$794.40;

**VSO Fund:** Payroll: \$7,618.92; BW Fargo Doublewood Inn: \$297.60; Walmart: \$13.88; Xerox Corporation: \$98.90;

**Social Security:** Stark County Auditor (Federal Deposit): \$37,047.26;

**Advertising:** Dickinson Press: \$395.36; ND Newspaper Association: \$247.20;

**County Agent:** Payroll: \$6,035.75; NDPers: \$620.58; Holiday Inn Fargo: \$176.70; NDSU Extension Service: \$526.69; Kurt Froelich: \$525.71; Samantha Roth: \$525.91; Consolidated: \$172.93; National Presto Industries Inc: \$89.99; SBM Inc: \$105.92; Xerox Corporation: \$585.31; Gayle Pender-Dukart: \$100.00; Deb Theurer: \$100.00;

**Weed Control:** Payroll: \$10,687.36; NDPers: \$2,606.62; Dickinson Press: \$85.80; Stark-Billings County 4-H: \$37.77; Mac's Inc: \$478.99; Runnings Supply: \$125.40; Gempler's: \$1,089.75; Walmart: \$6.95; National Products: \$456.76; Stark County Auditor (Federal Deposit): \$219.35;

**9-1-1:** Payroll: \$4,849.03; NDPers: \$1,633.91; Stark County Auditor (Federal Deposit): \$345.08; City of Dickinson: \$10,806.25; Consolidated: \$399.00; Lyle Signs Inc: \$2,192.00;

**Adult Education:** Dan's Supermarket: \$44.31; SBM Inc: \$40.67;

**Domestic Violence:** State Treasurer: \$665.00;

**Traf Safety Grant:** Payroll: \$1,452.31;

**Oil Impact Grant:** Payroll: \$12,728.54; Stark County Auditor (Federal Deposit): \$870.10;

**Cops Grant 2011:** NDPers: \$1,004.12; Payroll: \$4,045.50; Stark County Auditor (Federal Deposit): \$309.48;

**SW Victim Witness Program:** Payroll: \$5,520.39; Verizon Wireless: \$40.01; SBM Inc: \$285.35; NDPers: \$1,110.80; AT&T Mobility: \$83.67; Consolidated: \$40.61; Stark County Auditor (Federal Deposit): \$405.98;

**Hazardous Chemical Prep:** Dickinson Press: \$5.32; Dakota Fire Extinguishers: \$595.00;

**DVRCC:** Domestic Violence: \$697.20;

**Preservation Fee:** US Imaging: \$58,944.74;

**State Reimbursements:** George Sarnicki: \$25.00; Brandon Stockie: \$25.00; Jason Wallace: \$25.00; Laquinta Inns & Suites: \$187.20; Brian Eaton: \$25.00; Evan Kowalski: \$25.00; Matthew Lee: \$25.00; Travis Leintz: \$25.00; Matthew Hanson: \$25.00; Shane Holtz: \$25.00; Thomas Grosz: \$25.00;

**Siren Contingency:** Roughrider Electric: \$264.00;

**Other Reimbursements:** Red Top Recovery: \$450.00; Consolidated: \$178.16; Stark County Association of Deputies: \$3,000.00; PNC Equipment Finance: \$33,660.16; Pharm Chem Inc: \$5,330.00; Office of Attorney General: \$3,445.00;

**Judgement Execution:** Stark County Recorder: \$19.00;

**911 Equipment:** SBM Inc: \$600.00; Consolidated: \$57.12;

Sheriff Clarence Tuhy gave his monthly report and inquired on the courthouse security project.

Road Superintendent Al Heiser gave an update on roads.

Road Superintendent Al Heiser discussed keeping one of the motor graders that was offered as trade-in. Comm. Hoff moved to approve Road Superintendent Al Heiser to buy back one of the motor graders at the bid price that was offered by Butler. Comm. Wolf seconded. Roll call vote. All voted Aye and the motion carried.

Road Superintendent Al Heiser requested support from the Commission regarding a snow plowing request from the ND Department of Transportation. The Commission supported Road Superintendent Al Heiser's decision in declining the request was due to the roads condition.

Road Superintendent Al Heiser reported there is funding in the budget for a new belly-dump truck, however, Road Superintendent Al Heiser would like to use the funds to lease three belly-dump trucks instead.

Tim Kelly, Kadrmas, Lee & Jackson, gave the engineers report.

Mike Schnetzer, Ulteig Engineering, was absent due to weather conditions.

Bob Swanson, Rani Engineering, provided an update regarding the City of Dickinson's railroad quiet zone, which includes some crossings in Stark County. This project does not bind Stark County to any decisions or funding.

Casey Willis, Infinity Wind Power, provided an update for the Wind Power Energy project, which is located South of Hebron on the Stark County and Morton County line. The application process will begin in the first quarter of 2014 with the target operational day at the end of 2015. The Commission advised Casey Willis to file the appropriate applications for the Stark County Zoning Board.

Emergency Director/911 Coordinator Bill Fahlsing provided an update on the Regional Multi-Hazard Mitigation Plan, which is complete and approved by the North Dakota Department of Emergency Services and from FEMA pending the adoption of the Plan through a Resolution. Comm. Wolf moved to adopt Resolution 2013-12-1 and authorized Chairman Zander to sign the Resolution. Comm. Elkin seconded. All voted Aye and the motion carried.

Chairman Zander opened the bids for Project COIA-0045(058), COIA-4512(001) and 201414 32<sup>nd</sup> St SW, CMC 4512 and Energy Drive. The following bids were received:

- Bituminous Paving - \$1,365,360.79
- Northern Improvement Co - \$1,259,147.35
- Border States Paving - \$1,531,573.80

Comm. Elkin moved to accept the low bid from Northern Improvement Co. Comm. Hoff seconded. Roll call vote. All voted Aye and the motion carried.

Chairman Zander opened the bids for Project CP-4510(13)01, Hwy 10, 83<sup>rd</sup> Avenue SE to the Morton County Line. The following bids were received:

- Bituminous Paving - \$3,806,757.80
- Central Specialties - \$4,066,040.20
- Northern Improvement Co - \$3,751,434.10
- Border States Paving - \$3,632,713.15

Comm. Elkin moved to accept the low bid from Border States Paving. Comm. Kuntz seconded. All voted Aye and the motion carried.

The Board recessed for a Park Board meeting at 10:15 am.

The Board reconvened at 10:40 am.

Auditor Kay Haag presented the 2014 Beer and Liquor License renewals for Lefor Columbus Club, The 19<sup>th</sup> Hole, County Line Truck Stop, St. Pius Verein and Assumption Abbey. Comm. Elkin moved to approve the 2014 Beer and Liquor License renewals. Comm. Kuntz seconded. Roll call vote. All voted Aye and the motion carried.

Auditor Kay Haag reported that the properties forfeited to Stark County for taxes sold at auction. The following sold; Tract NE4 Section 16 Township 138 Range 96 for \$4,000 and Lot 21 & 22 Block 19 OP Richardton for \$8,000. The following did not sell; Lot 16 Block 31 OP Belfield. Comm. Kuntz moved to sell the described property to the City of Belfield for \$25.00. Comm. Elkin seconded. All voted Aye and the motion carried.

Comm. Wolf moved to appoint Gaylon Baker to a two year term on the Vision West Board. Comm. Hoff seconded. All voted Aye and the motion carried.

Comm. Hoff moved to reappoint Floyd Hurt, Frank Kirschenheiter, Jason Hanson and Jay Elin to a three year term on the Stark County Job Development Authority Board. Comm. Wolf seconded. All voted Aye and the motion carried.

Comm. Elkin moved to reappoint Leslie Ross to a two year term on the Badlands Human Service Center Board. Comm. Kuntz seconded. All voted Aye and the motion carried.

Due to scheduling conflicts, the meeting for December 27<sup>th</sup> has been changed to December 30<sup>th</sup>.

The dates for the 2014 Stark County Commission meetings are as follows; January 7<sup>th</sup>, February 4<sup>th</sup>, March 4<sup>th</sup>, April 1<sup>st</sup>, May 6<sup>th</sup>, June 3<sup>rd</sup>, July 1<sup>st</sup>, August 5<sup>th</sup>, September 2<sup>nd</sup>, September 16<sup>th</sup>, October 7<sup>th</sup>, November 4<sup>th</sup>, December 2<sup>nd</sup> and December 30<sup>th</sup>. Comm. Hoff moved to approve the meeting dates for 2014. Comm. Elkin seconded. All voted Aye and the motion carried.

Comm. Wolf moved to authorize Chairman Zander to sign the Construction Engineering Services Supplementary Agreement #1 BRO-0045(042) from Kadrmas, Lee & Jackson. Comm. Hoff seconded. All voted Aye and the motion carried.

Comm. Kuntz moved to authorize Chairman Zander to sign a Resolution for Project BRO-0045(053) for the ND Department of Transportation. Comm. Elkin seconded. All voted Aye and the motion carried.

Chairman Zander discussed the City of Dickinson's ETZ zone. States Attorney Tom Henning advised that in the ETZ zone taxes are collected for the County, zoning is the responsibility of the City of Dickinson and the County may decide who will be responsible for permitting. Chairman Zander requested States Attorney Tom Henning send a letter to the City of Dickinson stating that Stark County will maintain the permitting in the ETZ zone. Comm. Wolf moved to allow States Attorney Tom Henning to send the letter to the City of Dickinson stating that Stark County will maintain the permitting in the ETZ zone. Comm. Elkin seconded. All voted Aye and the motion carried.

Discussion was held regarding courthouse hours. The hours for employees will be March 2<sup>nd</sup> through October 31<sup>st</sup>, Monday through Thursday 7:30 am – 5:00 pm and Friday 7:30 am – 12:00 pm. The hours for employees from November 1<sup>st</sup> through March 1<sup>st</sup> will be Monday through Friday 8:00 am – 5:00 pm. The courthouse doors will open at 8:00 am for the public.

Comm. Hoff reported there will be a two week gap in building permitting at the end of December. Comm. Hoff moved to allow Forsgren Associates Inc. to start December 17<sup>th</sup> instead of January 1<sup>st</sup>. Comm. Kuntz seconded. All voted Aye and the motion carried. Chairman Zander discussed a Park Board Memorandum of Understanding that still needed signatures from the Stark County Commission and Dickinson State University. Comm. Wolf will review the document and it will be placed on the December 30<sup>th</sup> meeting.

Commissioner Elkin presented a recommendation from the Zoning Board to approve the request from South Heart Rail Terminal, LLC. The request was for a zoning change from Agricultural to Industrial located in the E2NW4 Lots 1 and 2 of Section 7, Township 139, Range 98, in the NE4 of Section 7 Township 139 Range 98, in the SE4 of Section 7 Township 139 Range 98, in the SW4 of Section 7 Township 139 Range 98 and in the SE4 of Section 6 Township 139 Range 98 containing approximately 686.06 acres. Commissioner Hoff moved to approve the Zoning Board's recommendation for a zoning change from Agricultural to Industrial with the amended conditions from County Planner Steve Josephson. Commissioner Elkin seconded. Roll call vote. All voted Aye and the motion carried.

The following **Miscellaneous Receipts** were filed: General: \$267,604.24; County Road: \$1,805,454.24; Highway Tax Distribution: \$319,285.99; Social Services: \$130,674.70; IT-Computer/Updates: \$222.44; Capital Improvement: \$102,256.49; County Park: \$96,029.69; Social Security: \$4,791.29; County Agent: \$150.00; Weed Control: \$18,992.16; 911 Revenue: \$21,363.15; Adult Education: \$127.00; Fingerprint Station: \$336.00; Domestic Violence: \$560.00; Estimate Tax: \$620.00; Game & Fish Fund: \$50,725.00; SW Victim Witness Program: \$1,816.20; Protest Funds: \$4,000.48; Hazardous Chemical Prep: \$375.00; Domestic Violence & Rape Crisis Center: \$697.20; Preservation Fee: \$2,136.00; Other Reimbursements: \$47,771.32; Judgment Execution Fund: \$19.00; 911 Equipment: \$3,770.06;

Comm. Wolf moved to adjourn. Comm. Hoff seconded.

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Kay Haag, Auditor

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Ken Zander, Chairman